

Kentucky Commission on Human Rights

Commission issues May 2016 Rulings on Discrimination Complaints

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The Kentucky Commission on Human Rights Board of Commissioners at its regular meeting on Thursday, March 19, ruled on discrimination complaints for the people of the Commonwealth of Kentucky. The public meeting was held at commission headquarters in Louisville, Ky.

The commission ruled to approve two conciliation agreements. It accepted three withdrawals resolved with private settlements and approved five withdrawals giving complainants the right to file private suits. The commission dismissed 22 complaints with findings of no probable cause to evidence discrimination may have occurred.

Conciliation agreements are similar to settlements and are negotiated by commission officials. The following agreements were approved at the meeting:

Lexington Fair Housing Council Inc. v. Cornerstone Realty and Rental LLC, McBee Properties LLC and Tina Jungers, in Murray, Ky.: In November 2015, the Lexington Fair Housing Council alleged to the commission that the respondents discriminated based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344) and the U.S. Fair Housing Act. The Lexington Fair Housing Council claimed the respondents refused to rent to tenants with emotional support animals at 904 Hillwood Drive in Murray, Ky. The respondents denied any violation of the law and asserted there was no aggrieved party so there was no harm. Prior to a commission determination, the parties resolved the matter with a conciliation agreement. The respondents compensated the council in the amount of \$500 in total, revised their reasonable disability accommodations policies, and agreed to undergo housing civil rights law compliance training. The Lexington Fair Housing Council is an organization that promotes equal housing opportunities in Kentucky. The conciliation agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that the conciliation is a compromise of disputed claims.

Latonja Thompson v. VINT Properties LLC and Jaymes Shive, in Louisville, Ky.: Latonja Thompson in July 2015 complained to the commission that the respondents discriminated against her based on race (African American) in housing. This would be a violation of the Kentucky Civil Rights Act (KRS Chapter 344) and the U.S. Fair Housing Act. Thompson claimed the respondents denied her a housing opportunity based on her race and that the respondent represented that the rental property on Jackson

Street was not available when it was so available. After its investigation, the commission prepared to issue a probable cause finding, which would indicate probable cause existed to believe unlawful discrimination may have occurred. Prior to the issuance of the probable cause finding, the parties reached a conciliation agreement. The respondents admitted no wrongdoing and denied any violation of the law. They affirmed they are and will comply with civil rights law including fair housing law. They agreed to adopt and implement a written fair housing policy that complies with the law. They compensated Thompson in the amount of \$8,000. They agreed to undergo fair housing training and submit for three years to compliance monitoring by the commission. The conciliation agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that the conciliation is a compromise of disputed claims.

The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344), and, through its affiliations with the U.S. Equal Employment Opportunity Commission and the U.S. Dept. of Housing and Urban Development, enforces federal civil rights laws.

The Kentucky Civil Rights Act makes it unlawful to discriminate against people in the areas of employment, financial transactions, housing and public accommodations. Discrimination is prohibited in the aforementioned areas based on race, color, religion, national origin, gender, and disability. In employment, discrimination is further prohibited on the basis of age (40-years and over) and on the basis of tobacco-smoking status. In housing, discrimination is further prohibited based on familial status, which protects people with children in the household under the age of 18-years old, and it protects women who are pregnant. It is also a violation of the law to retaliate against a person for complaining of discrimination to the commission.

For help with discrimination or ask the commission to file a discrimination complaint, contact the commission at 1.800.292.5566. For information about the commission and civil rights, visit the website at www.kchr.ky.gov

For news about civil rights and information pertaining to protected classes, visit the Kentucky Commission on Human Rights Facebook and Twitter sites. Directly link to the sites from the commission website address listed above.